

FEDERAL REGISTER



VOLUME 18 NUMBER 56

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TITLE 9—ANIMALS AND ANIMAL PRODUCTS

Chapter I—Bureau of Animal Industry, Department of Agriculture

Subchapter C—Interstate Transportation of Animals and Poultry

[B. A. I. Order 383, Amdt. 11]

PART 76—HOG CHOLERA, SWINE PLAGUE, AND OTHER COMMUNICABLE SWINE DISEASES

CHANGES IN AREAS QUARANTINED BECAUSE OF VESICULAR EXANTHEMA

Pursuant to the authority conferred by sections 1 and 3 of the act of March 3, 1905, as amended (21 U. S. C. 123 and 125) sections 1 and 2 of the act of February 2, 1903, as amended (21 U. S. C. 111 and 120) and section 7 of the Act of May 29, 1884, as amended (21 U. S. C. 117) § 76.26 in Part 76 of Title 9, Code of Federal Regulations, containing a notice of the existence in certain areas of the swine disease known as vesicular exanthema and establishing a quarantine because of such disease, is hereby amended to read as follows:

§ 76.26 *Notice and quarantine.* (a) Notice is hereby given that the contagious, infectious and communicable disease of swine known as vesicular exanthema exists in the following areas:

Maricopa County, in Arizona;
The State of California;
Hartford, Litchfield, Middlesex and New Haven Counties, in Connecticut;
Bay and Dade Counties, in Florida;
Androscoggin, Cumberland, Kennebec, Somerset, and York Counties, in Maine;
City of Baltimore, in Maryland;
Bristol, Essex, Hampden, Middlesex, Norfolk, Plymouth and Worcester Counties, in Massachusetts;
Jefferson County, in Missouri;
Douglas and Hall Counties, in Nebraska;
Bergen, Burlington, Camden, Gloucester, Hudson, Hunterdon, Middlesex, Morris and Ocean Counties, in New Jersey;
Clarkstown Township, in Rockland County, in New York;
Council Grove, Mustang, Oklahoma and Greeley Townships, in Oklahoma County, in Oklahoma;

Bucks, Butler, Delaware, Lehigh and York Counties, in Pennsylvania;
Bristol, Kent, Providence, and Washington Counties, in Rhode Island;
Bowie County, in Texas;
Pierce and Whatcom Counties, in Washington.

(b) The Secretary of Agriculture, having determined that swine in the States named in paragraph (a) of this section are affected with the contagious, infectious and communicable disease known as vesicular exanthema, and that it is necessary to quarantine the areas specified in said paragraph (a) and the following additional areas in such States in order to prevent the spread of said disease from such States, hereby quarantines the areas specified in paragraph (a) of this section and in addition:

Essex and Union Counties, in New Jersey;
Montgomery County, in Pennsylvania.

Effective date. This amendment shall become effective upon issuance. It includes within the areas in which vesicular exanthema has been found to exist, and in which a quarantine has been established:

Middlesex County, in Connecticut;
Dade County, in Florida.

Hereafter, all of the restrictions of the quarantine and regulations in 9 CFR Part 76, Subpart B, as amended (17 F. R. 10538, as amended), apply with respect to shipments of swine and carcasses, parts and offal of swine from these areas.

This amendment excludes from the areas in which vesicular exanthema has been found to exist, and in which a quarantine has been established:

The District of Columbia;
Orange County, in Florida;
Polk County, in Iowa;
Albany and New York Counties, in New York.

Hereafter, none of the restrictions of the quarantine and regulations in 9 CFR Part 76, Subpart B, as amended (17 F. R. 10538, as amended) apply with respect to shipments of swine and carcasses, parts and offal of swine from these areas.

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CFR SUPPLEMENTS

(For use during 1953)

The following Supplements are now available:

Title 24 (\$0.65)

Title 25 (\$0.40)

Previously announced: Title 3 (\$1.75); Title 9 (\$0.40); Titles 10-13 (\$0.40); Title 17 (\$0.35); Title 18 (\$0.35); Title 49: Parts 71 to 90 (\$0.45)

Order from
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The foregoing amendment in part relieves restrictions presently imposed and must be made effective immediately to be of maximum benefit to persons subject to such restrictions. In part the amendment imposes further restrictions necessary to prevent the spread of vesicular exanthema, a communicable disease of swine, and to this extent it must be made effective immediately to accomplish its purpose in the public interest. Accordingly, under section 4 of the Administrative Procedure Act (5 U. S. C. 1003) it is found upon good cause that notice and other public procedure with respect to the foregoing amendment are impracticable and contrary to the public interest and good cause is found for making the amendment effective less

than 30 days after publication hereof in the FEDERAL REGISTER.

(Secs. 4, 5, 23 Stat. 32, as amended, sec. 2, 32 Stat. 792, as amended, secs. 1, 3, 33 Stat. 1264, as amended, 1265, as amended; 21 U. S. C. 111, 120, 123, 125. Interprets or applies sec. 7, 23 Stat. 32, as amended; 21 U. S. C. 117)

Done at Washington, D. C., this 10th day of March 1953.

[SEAL] TRUE D. MORSE,
Acting Secretary of Agriculture.

[F R. Doc. 53-2536; Filed, Mar. 23, 1953; 8:48 a. m.]

TITLE 6—AGRICULTURAL CREDIT

Chapter III—Farmers Home Administration, Department of Agriculture

Subchapter C—Production and Subsistence Loans

PART 343—PROCESSING SUPERVISED BANK ACCOUNTS

EDITORIAL NOTE: In Federal Register document 53-2343, appearing at page 1496 of the issue of Tuesday, March 17, 1953, the following correction should be made:

In the second line of the statement of particulars for § 343.5 (d) the FEDERAL REGISTER citation should read "17 F R. 7806" instead of "14 F R. 4971."

Chapter IV—Production and Marketing Administration and Commodity Credit Corporation, Department of Agriculture

Subchapter C—Loans, Purchases, and Other Operations

[1953 C. C. C. Flaxseed Bulletin 1]

PART 601—GRAINS AND RELATED COMMODITIES

SUBPART—1953 TEXAS FLAXSEED PURCHASE PROGRAM

Sec.	
601.326	General.
601.327	Administration.
601.328	Period and area of operation.
601.329	Basic purchase price in designated counties.
601.330	Basis of purchase.
601.331	Eligible producer.
601.332	Eligible flaxseed.
601.333	Authorized dealer.
601.334	Purchase documents.
601.335	Determination of quantity.
601.336	Liens.
601.337	Service charge.
601.338	Set-offs.
601.339	Payment.

AUTHORITY: §§ 601.326 to 601.339 issued under sec. 4, 62 Stat. 1070, as amended; 15 U. S. C. Sup. 714b. Interpret or apply sec. 5, 62 Stat. 1072, secs. 301, 401, 63 Stat. 1053, 1054; 15 U. S. C. Sup. 714c, 7 U. S. C. Sup. 1447, 1421.

§ 601.326 *General*. This bulletin states the requirements with respect to the 1953-crop Texas Flaxseed Purchase Program formulated for price support purposes by Commodity Credit Corporation (hereinafter referred to as CCC) and the Production and Marketing Administration (hereinafter referred to as

PMA) CCC, through designated PMA county committees, will stand ready to make direct purchases from eligible producers of eligible flaxseed delivered to authorized flaxseed dealers from the time of harvest through July 31, 1953, of 1953-crop Texas flaxseed grown in the counties listed in § 601.329. All such purchases shall be made in accordance with this bulletin.

§ 601.327 *Administration.* (a) This program will be administered in the field through the PMA Commodity Office, Dallas, Texas, and Texas PMA State committee and PMA county committees (hereinafter referred to as county committees). A producer desiring to sell flaxseed under this program must apply to the county committee of the county in which the flaxseed was produced for written delivery instructions on the quantity of flaxseed he wishes to sell to CCC.

(b) Such application must be made sufficiently in advance of the date of the intended delivery to enable the county committee to schedule deliveries in an orderly manner. Delivery instructions issued by the county committee will set forth the approximate quantity of flaxseed and the time and place of delivery for the account of CCC. All flaxseed delivered under such instructions must meet the eligibility requirements specified in § 601.332. The county committee may authorize in writing, certain employees of the county committee to approve on behalf of the committee any forms and documents in connection with this program. State and county committees and PMA commodity offices do not have authority to modify or waive any of the provisions of this bulletin or any amendments or supplements thereto. At the end of each business day the PMA county committee shall notify the commodity office by telegram of the quantity of flaxseed purchased each day and the location and name of dealer where such flaxseed is in storage.

§ 601.328 *Period and area of operation.* This program will be available on eligible flaxseed from the time of harvest through July 31, 1953, in the Texas counties listed in § 601.329. Deliveries of flaxseed under this program must be completed on or before July 31, 1953.

§ 601.329 *Basic purchase prices.* (a) The basic purchase price per bushel of flaxseed, grading No. 1, delivered under this program for the account of CCC will be as follows in the Texas counties for which this program is authorized:

TEXAS			
County	No. 1 Flaxseed	County	No. 1 Flaxseed
Aransas	\$3.61	Concho	\$3.44
Atascosa	3.51	De Witt	3.52
Bee	3.60	Dimmit	3.40
Bell	3.49	Duval	3.58
Bexar	3.51	Frio	3.46
Blanco	3.49	Galveston	3.63
Brooks	3.51	Goliad	3.57
Brown	3.46	Gonzales	3.52
Caldwell	3.51	Guadalupe	3.51
Calhoun	3.51	Hays	3.51
Cameron	3.45	Hidalgo	3.46
Coleman	3.44	Jackson	3.52
Colorado	3.57	Jim Hogg	3.56
Comal	3.51	Jim Wells	3.60

TEXAS—Continued

County	No. 1 Flaxseed	County	No. 1 Flaxseed
Karnes	\$3.55	Real	\$3.44
Kimble	3.44	Refugio	3.54
Kleberg	3.60	San Patricio	3.63
La Salle	3.45	San Saba	3.46
Lavaca	3.51	Travis	3.50
Lee	3.54	Uvalde	3.44
Live Oak	3.58	Victoria	3.54
Matagorda	3.56	Webb	3.45
Maverick	3.42	Wharton	3.58
McCulloch	3.45	Willacy	3.46
McMullen	3.54	Wilson	3.54
Medina	3.48	Zapata	3.43
Milam	3.51	Zavala	3.42
Nueces	3.63		

(b) (1) The basic purchase price shall be \$3.80 per bushel for No. 1 flaxseed delivered to authorized flaxseed dealers at the Corpus Christi and Houston terminal markets in carload lots which have been shipped by rail on a domestic interstate freight rate basis, from a country shipping point to the said terminal markets, as evidenced by paid freight bills duly registered for transit privileges and other documents as required in this bulletin: *Provided*, That all charges, including receiving charges, have been prepaid: *And provided further*, That, in the event the amount of paid-in freight is insufficient to guarantee the minimum proportional freight rate from the aforesaid terminal markets, there shall be deducted from the applicable terminal purchase price the difference between the amount of freight actually paid in and the amount required to be paid in to guarantee outbound movement at the minimum proportional freight rate. The terminal warehouse receipt must be accompanied by a registered freight bill, or by a supplemental certificate signed by the warehouseman, containing data like to that on such freight bills, in the form prescribed by the PMA Commodity Office, Dallas, Texas.

(2) The basic purchase price of flaxseed delivered at the aforesaid terminal markets by rail in carload lots for which neither registered freight bills nor such freight certificates are presented, will be the terminal basic purchase price of \$3.80 less 8 cents per bushel: *Provided*, That all charges, including receiving charges, have been prepaid. Flaxseed delivered by truck at the designated terminals in the State of Texas will be purchased by CCC under this program on the basis of the terminal rate minus 12½ cents.

(c) The basic purchase price for No. 2 flaxseed shall in all instances be 6 cents per bushel less than the price indicated for No. 1 flaxseed.

(d) To compensate CCC for storage charges on flaxseed acquired under this program, the following deduction per bushel of flaxseed purchased shall be made from the basic purchase prices set forth above:

For flaxseed purchased:	Deduction per bushel (cents)
April 1953	14
May 1953	13
June 1953	12
July 1953	11

§ 601.330 *Basis of purchase.* Eligible flaxseed will be purchased on the basis

of weight and grade. The grade shall be determined in accordance with the Official Grain Standards of the United States for flaxseed by a grain inspector licensed by the Secretary of Agriculture. Wherever the services of a licensed inspector are not available the PMA Commodity Office shall designate in writing a person qualified to determine the grade of flaxseed in accordance with the Official Grain Standards of the United States for flaxseed. Such designation may be revoked in writing by the PMA Commodity Office at any time.

§ 601.331 *Eligible producer.* An eligible producer shall be any individual, partnership, association, corporation or other legal entity which (a) has produced flaxseed in 1953 in one of the counties named in § 601.329 as landowner, landlord, tenant or sharecropper, and (b) has applied to the appropriate county office for delivery instructions.

§ 601.332 *Eligible flaxseed.* Eligible flaxseed shall meet the following requirements:

(a) The flaxseed must be produced by an eligible producer in 1953 in one of the counties named in § 601.329.

(b) The beneficial interest in the flaxseed must be in the person tendering the flaxseed for purchase and must always have been in him or in him and a former producer whom he succeeded before the flaxseed was harvested.

(c) The flaxseed must grade No. 1 or No. 2. Sample grade flaxseed will not be purchased under this program.

§ 601.333 *Authorized dealer.* An authorized dealer shall be any individual, partnership, association or corporation operating under a Flaxseed Dealer Agreement with CCC, which authorizes such dealer to accept delivery of eligible flaxseed under this program for the account of CCC. A list of authorized dealers to whom flaxseed may be delivered for the account of CCC under this program may be obtained from the offices indicated in § 601.327.

§ 601.334 *Purchase documents.* (a) The purchase documents shall consist of (1) the "Non-Negotiable Flaxseed Dealer's Receipt and Grade Certificate" issued to the producer for flaxseed delivered and in the case of a terminal warehouse receipt, the registered freight bill or warehouseman's supplemental certificate (2) the purchase settlement form and (3) such other forms as may be prescribed by CCC.

(b) The receipt must be issued in the name of the producer for the account of CCC and must be dated on or before July 31, 1953. Each receipt must show (1) Gross weight or bushels, (2) grade, (3) test weight, (4) dockage, and (5) percentage of damage when such factor, and not test weight, determine the grade. The receipt must show whether the flaxseed arrived by rail, truck or barge. In the case of warehouse receipts issued for flaxseed delivered by rail or barge, the grading factors on the receipt must agree with the inbound inspection certificates for the car or barge.

§ 601.335 *Determination of quantity.* (a) The number of bushels of flaxseed

delivered shall be determined by weight at time of delivery. A bushel shall be 56 pounds of flaxseed free of dockage.

(b) The percentage of dockage shall be determined in accordance with the Official Grain Standards of the United States for Flaxseed, and the weight of said dockage shall be deducted from the gross weight of the flaxseed in determining the net quantity for purchase.

§ 601.336 *Liens.* The flaxseed must be free and clear of all liens and encumbrances, or, if liens and encumbrances exist on the flaxseed, proper waivers must be presented to the county committees at the time of application for delivery instructions.

§ 601.337 *Service charge.* A service charge of one-half cent per bushel or a minimum of \$1.50, whichever is greater, shall be charged the producer on each purchase of flaxseed made by CCC under this program. The amount of the service charge shall be deducted from the purchase price at the time of settlement.

§ 601.338 *Set-offs.* If the producer is indebted to CCC on any accrued obligation, or if any installment or installments on any loan made available by CCC on farm-storage facilities or any mobile drying equipment loan, whether the note evidencing such loan is held by CCC or a lending agency are past due or are payable or prepayable under the provisions of the farm-storage facility loan note or mobile drying equipment loan note out of the proceeds of the price support purchase, he must designate CCC or such lending agency as the payee of the proceeds of the purchase to the extent of such indebtedness or installments, but not to exceed that portion of the proceeds remaining after deduction of service charges and amounts due prior lienholders. If the producer is indebted to any other agency of the United States and such indebtedness is listed on the county debt register, he must designate such agency as the payee of the proceeds as provided above. Indebtedness owing to CCC or to a lending agency as provided above shall be given first consideration after claims of prior lienholders. Compliance with the provisions of this section shall not constitute a waiver of any right of the producer to contest the justness of the indebtedness involved either by administrative appeal or by legal action.

§ 601.339 *Payment.* Payment to the producer for flaxseed delivered under this program shall be made by the PMA county office through sight draft drawn on CCC, and on the basis of the purchase documents indicated in § 601.334, subject to the provisions of set-offs and service charge.

Issued this 18th day of March 1953.

[SEAL] HOWARD H. GORDON,
Executive Vice President,
Commodity Credit Corporation.

Approved:

JOHN H. DAVIS,
President,
Commodity Credit Corporation.

[F. R. Doc. 53-2538; Filed, Mar. 23, 1953;
8:49 a. m.]

TITLE 14—CIVIL AVIATION

Chapter II—Civil Aeronautics Administration, Department of Commerce

PART 617—AIR TRAFFIC CONTROL RULES

SUBPART B—AIRPORT TRAFFIC CONTROL

MISCELLANEOUS AMENDMENTS

Air traffic control rules were adopted as Part 617 for the purpose of implementing § 26.26 of this title. They were published on April 21, 1951, in 16 F. R. 3460, and were amended on May 24, 1952, in 17 F. R. 4743, and are amended herewith. This amendment revises certain rules under which air traffic control tower operators issue clearances to aircraft. These revised rules should be made effective without delay in order to promote safety of the flying public. The amendment has been coordinated with interested persons through the Airspace Subcommittee of the Air Coordinating Committee. Therefore, compliance with the notice, procedures, and effective dates provisions of section 4 of the Administrative Procedure Act is impracticable and unnecessary.

Subpart B is amended as follows:

1. Section 617.22 (d) (7) (i) is amended to read:

§ 617.22 *Control of traffic on and in vicinity of landing area.* * * *

(d) *Control of taxiing aircraft.* * * *

(7) * * *

(i) *Arriving aircraft.* After landing, the pilot shall be advised when to change to the appropriate ground control channel for receipt of taxi instructions from the tower. Normally, this change-over shall be accomplished after the aircraft has cleared the active runway or area.

2. Section 617.24 (b) (3) (i) (ii) and (iii) is amended to read:

§ 617.24 *Radiotelephone technique.* * * *

(b) *Calls and replies.* * * *

(3) * * *

(i) Military aircraft—by the service or unit name, followed by the complete service serial number or trip number. Examples:

"Air Force seven eight two nine four."

"Air EVAC one fifty nine."

"Navy four three six one."

"National Guard two one six one."

(ii) Civilian aircraft—by the aircraft make, if known, followed by the certification number. Examples:

"Waco two one six eight five."

"Stinson three seven two Y."

(iii) Aircraft of foreign registry—by the aircraft radio call letters, by the registration number, by a combination of company name and radio call letters, or by a combination of company name and trip number, as specified in the flight plan. Examples:

"PHALT"—radio call.

"CFACB"—registration.

"Speedbird GABCD"—company name and radio call.

"Speedbird 14"—company name and trip number.

3. Section 617.25 (b) (2) (ii) is amended to read:

§ 617.25 *Standard traffic clearances and phraseologies.* * * *

(b) *Standard phraseologies for traffic clearances.* * * *

(2) * * *

(ii) A normal clearance to enter the traffic pattern shall be issued to a pilot whenever the controller desires that the aircraft approach the landing area in accordance with current traffic patterns. If a normal clearance to enter traffic pattern is not appropriate for the existing traffic conditions, it may be omitted, and an alternate clearance such as "cleared to land," or "continue approach," or "report over (specified point or distance from the airport)" or "(right) or (left) turn to runway (number)" may be used at the discretion of the controller.

4. Section 617.25 (b) (5) (ii) is amended to read:

§ 617.25 *Standard traffic clearances and phraseologies.* * * *

(b) *Standard phraseologies for traffic clearances.* * * *

(5) * * *

(ii) When a flight plan has been filed specifying IFR flight from the point of departure, the take-off clearance described in subdivision (i) of this subparagraph shall not be issued until center clearance has been transmitted to and acknowledged by the pilot concerned.

5. Section 617.25 (b) (7) (i) (c) is amended to read:

§ 617.25 *Standard traffic clearances and phraseologies.* * * *

(b) *Standard phraseologies for traffic clearances.* * * *

(7) * * *

(i) * * *

(c) "Cleared to make right turn; practice low approach to airport; contact Columbus Navy GCA, etc."

NOTE: Special clearances are provided so that unusual situations, as well as routine range practice, etc., may be properly handled.

6. Section 617.25 (b) (7) (ii) (g) is amended to read:

§ 617.25 *Standard traffic clearances and phraseologies.* * * *

(b) *Standard phraseologies for traffic clearances.* * * *

(7) * * *

(ii) * * *

(g) If an aircraft can be cleared onto the runway in use but not cleared for take-off, the following phraseology will be used: "Taxi into position and hold"

7. Section 617.25 (d) is deleted.

8. Section 617.25 (e) is redesignated § 617.25 (d)

9. Section 617.25 (d) (1) is revised to read:

§ 617.25 *Standard traffic clearances and phraseologies.* * * *

(d) *Statement of figures in radiotelephone transmissions.* * * *

(1) *Statement of figures to indicate ceiling heights, altitudes, and upper air levels.* * * *

10. Section 617.25 (f) is redesignated § 617.25 (e)

11. Section 617.25 (e) (1) is revised to read:

§ 617.25 *Standard traffic clearances and phraseologies.* * * *

(e) *Procedures, words, and phrases.* * * *

(1) The following words and phrases shall be used in airport traffic control radiotelephone communication when applicable:

Word or phrase	Meaning
"Acknowledge" -----	"Let me know that you have received and understood this message."
"Affirmative" -----	"Yes."
"Break" -----	"I hereby indicate the separation between portions of the message." (To be used only where there is no clear distinction between the text and other portions of the message.)
"Correction" -----	"An error has been made in this transmission (or message indicated). The correct version is ---."
"Go ahead" -----	"Proceed with your message."
"How do you hear me?" -----	Self-explanatory.
"I say again" -----	Self-explanatory.
"Negative" -----	"That is not correct."
"Out" -----	"This conversation is ended, and no response is expected."
"Over" -----	"My transmission is ended, and I expect a response from you."
"Read back" -----	"Repeat all of this message back to me exactly as received after I have given 'Over'."
"Roger" -----	"I have received all of your last transmission." (To acknowledge receipt; shall not be used for any other purpose.)
"Say again" -----	Self-explanatory.
"Speak slower" -----	Self-explanatory.
"Stand by" -----	If used by itself means "I must pause for a few seconds." If the pause is longer than a few seconds, or if "Stand by" is used to prevent another station from transmitting, it must be followed by the ending "Out"
"That is correct" -----	Self-explanatory.
"Verify" -----	"Check coding, check text with the originator and send correct version."
"Words twice" -----	(a) As a request—"Communication is difficult. Please say every phrase twice." (b) As information—"Since communication is difficult, every phrase in this message will be spoken twice."

12. Section 617.25 (g) and (h) are redesignated § 617.25 (f) and (g) respectively.

(Sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425)

This amendment shall become effective upon publication in the FEDERAL REGISTER.

[SEAL]

F. B. LEE,
Acting Administrator of
Civil Aeronautics.

[F. R. Doc. 53-2520; Filed, Mar. 23, 1953; 8:45 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IV—Joint Regulations of the Armed Forces

Subchapter A—Armed Services Procurement Regulations

PART 400—GENERAL PROVISIONS

SOURCE OF SUPPLIES

The following amendments to Part 400—General Provisions (32 CFR 400) relate to including petroleum among the supplies for which a special definition of "regular dealer" has been promulgated by the Department of Labor under the Walsh-Healey Act.

Section 400.201-9 is revised as follows:

§ 400.201-9 *Source of supplies.* (a) The term "sources of supplies" shall include only (1) manufacturers or (2),

regular dealers in the supplies to be procured. A "regular dealer" shall be deemed to be any one of the following:

(i) A person or firm who owns, operates, or maintains a store, warehouse, or other establishment in which the materials, supplies, articles, or equipment of the general character described by the specifications and required under the contract are bought, kept in stock, and sold to the public in the usual course of business;

(ii) In the case of supplies of particular kinds (lumber and timber products, coal, machine tools, raw cotton, petroleum, green coffee, or hay, grain, feed, and straw) a person or firm satisfying the requirements of Article 101 (b) of the regulations, as amended from time to time, prescribed by the Secretary of Labor under the Walsh-Healey Public Contracts Act (41 U. S. Code 35)

The definitions in this paragraph shall not apply to contracts for supplies no part of which will be manufactured or furnished within the geographic limits of the continental United States, Alaska, Hawaii, Puerto Rico, the Virgin Islands, or the District of Columbia.

(b) A manufacturer or regular dealer may bid, negotiate and contract through an authorized agent: *Provided*, That the agency is disclosed, and the agent acts and contracts in the name of his principal. In this connection, see the clause entitled "Covenant Against Contingent Fees" set forth in § 400.103-20 of this subchapter.

(R. S. 101; 5 U. S. C. 22. Interprets or applies 62 Stat. 21; 41 U. S. C. Sup. 151-161)

JOHN C. HOUSTON, Jr.,
Acting Chairman,
Munitions Board.

[F. R. Doc. 53-2519; Filed, Mar. 23, 1953; 8:45 a. m.]

PART 410—FEDERAL, STATE AND LOCAL TAXES

FEDERAL EXCISE TAXES; FIXED-PRICE CONTRACTS

The following amendments to Part 410—Federal, State and Local Taxes (32 CFR 410) relate to: Changes to conform with recent Revenue Acts, including changed rates and added or deleted categories; clarification of the phrase "direct tax" coverage of properly assessed tax penalties, explanation of the words "contract date" as applied to supplemental agreements, and explanation of the government's obligation with respect to the furnishing of tax exemption certificates.

1. Subpart A—Federal Excise Taxes, is revised to read as follows:

SUBPART A—FEDERAL EXCISE TAXES

- 410.100 Scope of subpart.
- 410.101 Manufacturers' excise taxes.
- 410.101-1 Tires and inner tubes.
- 410.101-2 Automotive equipment.
- 410.101-3 Radio, television, and musical equipment.
- 410.101-4 Refrigerating, quick-freezing, and air-conditioning equipment.
- 410.101-5 Sporting goods.
- 410.101-6 Electric, gas and oil appliances.
- 410.101-7 Photographic apparatus.
- 410.101-8 Business and store machines.
- 410.101-9 Electric light bulbs and tubes.
- 410.101-10 Firearms, shells and cartridges.
- 410.101-11 Matches.
- 410.101-12 Fountain and ball point pens, mechanical pencils and mechanical lighters for cigarettes, cigars, and pipes.
- 410.101-13 Gasoline.
- 410.101-14 Lubricating oils.
- 410.102 Retailers' excise taxes.
- 410.102-1 Jewelry, etc.
- 410.102-2 Furs.
- 410.102-3 Toilet goods.
- 410.102-4 Luggage.
- 410.103 Excise tax on pistols and revolvers.
- 410.104 Tax on transportation of persons.
- 410.105 Tax on transportation of property.
- 410.106 Tax on transportation of oil by pipe line.
- 410.107 Tax on communication facilities.
- 410.108 Excise tax on diesel fuel used in highway vehicles.

AUTHORITY: §§ 410.100 to 410.103 issued under sec. 1, 54 Stat. 712, as amended, sec. 201, 55 Stat. 839, 62 Stat. 20; 50 U. S. C. App. 1171, 611, 41 U. S. C. Sup. 151-161. E. O. 9001, Dec. 27, 1941, 6 F. R. 6787, as amended by E. O. 9296, Jan. 30, 1943, 8 F. R. 1429; 3 CFR, 1943 Cum. Supp.

SUBPART A—FEDERAL EXCISE TAXES

§ 410.100 *Scope of subpart.* This subpart deals with Federal excise taxes imposed by the Internal Revenue Code upon certain supplies and services procured by any Department; and in connection with each tax indicates the nature of the tax (manufacturers' excise, retailers' excise, transportation, or communication), the basis for an ap-

plication of the tax, the particular supplies subject to the tax, and the rate of tax. An alphabetical list of supplies and services subject to Federal excise taxes, together with the applicable sections of the Internal Revenue Code, is set forth at the end of this subpart. The availability of exemptions from these taxes is covered in Subpart B of this part. Attention is directed to the fact that the supplies and services subject to tax, and the rates of tax imposed thereon, as set forth in this subpart, are subject to change from time to time by amendments to the Internal Revenue Code and by changes in applicable Treasury regulations.

§ 410.101 *Manufacturers' excise taxes.* Chapter 29 of the Internal Revenue Code, as implemented by Treasury Regulations 44 and 46, imposes a manufacturers' excise tax upon various types of supplies, enumerated in the following paragraphs of this section, sold by the manufacturer, producer, or importer. In general, this tax is based in each instance on sales price (including any charges for packaging, but excluding incidental charges such as transportation, installation, etc.) and attaches at the time when title passes from the seller. The lease of supplies is considered a sale for purposes of this tax. Jewelry and luggage subject to a retailers' excise tax (covered in §§ 410.102-1 and 410.102-4) are not subject to a manufacturers' excise tax.

§ 410.101-1 *Tires and inner tubes.* A tax is imposed with respect to sales of the following supplies at the indicated rates:

(a) Tires wholly or in part of rubber, including synthetic or substitute rubber (exclusive of metal rims or rim bases)—5 cents a pound on total weight;

(b) Inner tubes (for tires) wholly or in part of rubber, including synthetic or substitute rubber—9 cents a pound on total weight.

§ 410.101-2 *Automotive equipment.* A tax is imposed with respect to sales of the following supplies at the indicated rates:

(a) Chassis and bodies (including parts or accessories sold therewith) of the following types of automotive equipment (excluding tractors and motor-driven machines and handling equipment used on premises of factories and railway stations)

(1) Automobile trucks and buses—8 percent through March 31, 1954, 5 percent thereafter;

(2) Truck and bus-trailers and semi-trailers—8 percent through March 31, 1954, 5 percent thereafter;

(3) Trailers and semi-trailers suitable for use in connection with passenger automobiles—10 percent through March 31, 1954, 7 percent thereafter;

(4) Other automobiles—10 percent through March 31, 1954, 7 percent thereafter;

(b) Tractors (including parts or accessories sold therewith) of the kind chiefly used for highway transportation in combination with a trailer or semi-trailer—8 percent through March 31, 1954, 5 percent thereafter;

(c) Motorcycles (including parts or accessories sold therewith)—10 percent through March 31, 1954, 7 percent thereafter;

(d) Parts or accessories (such as spark plugs, storage batteries, leaf springs, coils, timers and tire chains suitable for use in connection with any of the supplies enumerated in paragraphs (a) (b) and (c) of this section; but excluding tires, inner tubes and automobile radios, and also excluding parts and accessories sold to a manufacturer of any of the supplies enumerated in paragraphs (a) (b) and (c) *Provided*, That an appropriate certificate of the purchaser is given to the seller stating that the purchaser is a manufacturer of such supplies) sold for any of the supplies enumerated in paragraphs (a) (b) and (c)—8 percent through March 31, 1954, 5 percent thereafter.

Where a manufacturer sells tax-paid tires, inner tubes or automobile radios on or in connection with, or with the sale of, any of the supplies enumerated in paragraphs (a) (b) and (c) of this section he may take appropriate credit against the tax due on his sale of such automotive equipment.

§ 410.101-3 *Radio, television, and musical equipment.* A tax of 10 percent is imposed with respect to sales of the following supplies (including, except in the case of musical instruments, parts or accessories sold therewith)

(a) Radio receiving sets, automobile radio receiving sets, television receiving sets, automobile television receiving sets, phonographs, and combinations of any of the foregoing;

(b) Chassis, cabinets, tubes, power supply units, speakers, amplifiers, antennae of the "built-in" type, and phonograph mechanisms, suitable for use in connection with, or as component parts of, any of the supplies enumerated in (a) whether or not primarily adapted for such use;

(c) Phonograph records;

(d) Musical instruments.

§ 410.101-4 *Refrigerating, quick-freezing and air-conditioning equipment.* A tax of 10 percent is imposed with respect to sales of the following supplies (including parts or accessories sold therewith)

(a) Household type refrigerators (for single or multiple cabinet installations) having, or designed for use with, a mechanical refrigerating unit operated by electricity, gas, kerosene, or gasoline; household type units for the quick-freezing or frozen storage of foods, operated by electricity, gas, kerosene, or gasoline; and combinations of such household type refrigerators and units;

(b) Cabinets, compressors, condensers, condensing units, evaporators, expansion units, absorbers, and controls for, or suitable for use as parts of or with, the supplies described in paragraph (a) of this section, except when sold as component parts of complete refrigerators or refrigerating or cooling apparatus or quick-freeze units;

(c) Self-contained air-conditioning units;

§ 410.101-5 *Sporting goods.* A tax of 15 percent is imposed with respect to sales of sporting goods and equipment through March 31, 1954, thereafter the applicable tax rate will be 10 percent.

§ 410.101-6 *Electric, gas, and oil appliances.* A tax of 10 percent is imposed with respect to sales of electric, gas, and oil appliances such as fans, heaters (other than electric air furnaces), cooking appliances, etc.

§ 410.101-7 *Photographic apparatus.* A tax is imposed with respect to sales of the following supplies at the indicated rates:

(a) Cameras and camera lenses—20 percent. (This tax does not apply to (1) X-ray cameras, (2) cameras weighing more than four pounds exclusive of lenses and accessories, (3) still camera lenses having a focal length of more than one hundred and twenty millimeters, or (4) motion picture camera lenses having a focal length of more than thirty millimeters)

(b) Unexposed photographic film in rolls, including motion picture film—20 percent. (This tax does not apply to (1) X-ray film, (2) film more than one hundred and fifty feet in length, or (3) film more than twenty-five feet in length and more than thirty millimeters in width or (4) unperforated microfilm.)

§ 410.101-8 *Business and store machines.* A tax of 10 percent is imposed with respect to sales of business and store machines, excluding cash registers of the type used in registering over-the-counter retail sales.

§ 410.101-9 *Electric light bulbs and tubes.* A tax of 20 percent is imposed with respect to sales of electric light bulbs and tubes, excluding supplies taxable under any other manufacturers' excise tax.

§ 410.101-10 *Firearms, shells and cartridges.* A tax of 11 percent is imposed with respect to sales of firearms (except pistols and revolvers, as to which see § 410.103), shells and cartridges.

§ 410.101-11 *Matches.* A tax of 2 cents per 1,000 is imposed with respect to sales of matches, except that in the case of fancy wooden matches and wooden matches having a stained, dyed, or colored stick or stem, packed in boxes or in bulk, the tax is 5½ cents per 1,000 matches.

§ 410.101-12 *Fountain and ball point pens, mechanical pencils and mechanical lighters for cigarettes, cigars, and pipes.* A tax of 15 percent is imposed with respect to sales of fountain and ball point pens, mechanical pencils, and mechanical lighters for cigarettes, cigars, and pipes.

§ 410.101-13 *Gasoline.* A tax of 2 cents a gallon is imposed with respect to sales of gasoline by the producer or importer thereof, or by any producer of gasoline through March 31, 1954; thereafter the applicable tax will be 1½ cents a gallon. The term "gasoline" includes—

(a) All products commonly or commercially known or sold as gasoline, benzol, benzene, or naphtha, regardless of their classifications or uses; and

(b) Any other liquid fuel (excluding kerosene, gas oil, or fuel oil) *Provided*, That it is sold for or used in connection with the propulsion of motor vehicles, motor boats, or airplanes.

§ 410.101-14. *Lubricating oils* A tax of 6 cents a gallon is imposed with respect to lubricating oils. The term "lubricating oils" includes all oils, regardless of their origin, which are sold as lubricating oil and all oils which are suitable for use as a lubricant, but does not include products of the type commonly known as grease.

§ 410.102. *Retailers' excise taxes.* Chapters 9A and 19 of the Internal Revenue Code, as implemented by Treasury Regulations 51, impose a retailers' excise tax upon various types of supplies, enumerated in the following paragraphs of this section, sold at retail. Such supplies, when sold to the Government for use or consumption, are considered to be sold at retail. In general, this tax is based in each instance on sales price (including any charges for packaging, but excluding incidental charges such as transportation, installation, etc.) and attaches at the time when title passes from the seller. The lease of supplies is considered a sale for purposes of this tax. In the case of any supplies classifiable under more than one retailers' excise tax only one tax on such supplies is imposed; and where the tax rates differ, the supplies are subject to tax at the highest rate.

§ 410.102-1. *Jewelry, etc.* A tax of 20 percent is imposed with respect to sales of all supplies commonly or commercially known as jewelry, whether real or imitation; pearls, precious and semi-precious stones, and imitations thereof; supplies made of, or ornamented, mounted or fitted with precious metals or imitations thereof; watches and clocks, and cases and movements thereof; gold, gold-plated, silver or sterling flatware or hollow ware, and silver-plated hollow ware; opera glasses, lorgnettes; marine glasses, field glasses and similar optical instruments, if portable. The rate of tax is 10 percent (instead of 20 percent) of the sales price of watches selling at retail for not more than \$65 and alarm clocks selling at retail for not more than \$5. The tax does not apply to religious articles, surgical instruments, watches designed especially for use by the blind, frames or mountings for eyeglasses, or devices prescribed for use in connection with the uniforms of the Armed Services.

§ 410.102-2. *Furs.* A tax of 20 percent is imposed with respect to sales of supplies made of fur on the hide or pelt, and sales of supplies of which such fur is the component or chief value—that is, a value three times that of the next most valuable component. The tax applies although the pelt is furnished by the customer.

§ 410.102-3. *Toilet goods.* A tax of 20 percent is imposed with respect to sales of perfumes, cosmetics, hair dress-

ings, and any other similar toilet supplies.

§ 410.102-4. *Luggage.* A tax of 20 percent is imposed with respect to sales of the following supplies (including fittings or accessories sold therewith)

(a) Trunks, suitcases, toilet cases, hat boxes, brief cases made of leather or imitation leather, and other similar items of luggage;

(b) Salesmen's sample and display cases;

(c) Purses, handbags, wallets, and card, pass and key cases.

§ 410.103. *Excise tax on pistols and revolvers.* Chapter 25A of the Internal Revenue Code, as implemented by Treasury Regulations 47, imposes an excise tax on 11 percent upon pistols and revolvers sold or leased by the manufacturer, producer, or importer.

§ 410.104. *Tax on transportation of persons.* Chapter 300 of the Internal Revenue Code, as implemented by Treasury Regulations 42F imposes a tax of 15 percent upon the amount paid within the United States for the transportation of persons by rail, motor vehicle, water, or air, within or without the United States, and for seating or sleeping accommodations in connection with such transportation: *Provided*, That this tax shall not apply with respect to any part of such transportation which is outside the northern portion of the Western Hemisphere. In computing such tax, there is excluded (a) separable and itemized charges other than those for transportation of a person, (b) charges for transportation of freight that includes also transportation of caretakers or messengers for which no specific charge as such is made, and (c) charges not exceeding 35 cents, certain commutation tickets, and charges for transportation by motor vehicles with seating capacity of less than ten persons and not operated on an established line.

§ 410.105. *Tax on transportation of property.* Chapter 30E of the Internal Revenue Code, as implemented by Treasury Regulations 113, imposes a tax of 3 percent (4 cents per short ton in the case of coal, including coke and briquettes) upon the amount paid within the United States for the transportation of property (including (a) separable and itemized charges for baggage transported in connection with the transportation of persons, and (b) charges for services furnished in connection with the transportation of property) by a person engaged in the business of transporting property for hire, by means of rail, motor vehicle, water, or air, from one point inside the United States to another or in the case of transportation from a point outside the United States, for that part of the transportation which takes place inside the United States. The tax does not apply to the transportation of earth, rock, or other material excavated within the boundaries of, and in the course of, a construction project and transported to any place within, or adjacent to, the boundaries of such project. In computing such tax, there is excluded all amounts paid to the Post Office Department for the

transportation of property and all amounts paid for the transportation of property (c) to or from the American National Red Cross, (d) to or from the government of a state or territory (or political subdivision thereof) or of the District of Columbia, and (e) to or from an international organization as designated by the President. No amount paid for the transportation of property is subject to tax if and to the extent that a tax on such transportation has previously been paid. An amount paid for the transportation of coal is not taxable if there has been a previous taxable transportation of such coal and if a statement to that effect is endorsed on the bill of lading or other shipping papers; furthermore, an amount paid for the transportation of coke or briquettes made from coal is not subject to tax provided there has been a previous taxable transportation of the coal or coal dust from which such coke or briquettes were manufactured.

§ 410.106. *Tax on transportation of oil by pipe line.* Chapter 30A of the Internal Revenue Code, as implemented by Treasury Regulations 42D, imposes a tax of 4½ percent upon the amount paid for the transportation by pipe line of crude petroleum and liquid products thereof. If no charge is made for such transportation, or if the payment is less than the fair charge and made under a transaction not entered into at "arm's length", the tax is imposed upon the fair charge for such transportation.

§ 410.107. *Tax on communication facilities.* Chapter 30B of the Internal Revenue Code, as implemented by Treasury Regulations 42E, imposes a tax upon the following types of communication facilities at the indicated rates:

(a) Telephone and radio telephone messages paid for within the United States (excluding any such messages for which the toll charge is 24 cents or less)—25 percent;

(b) Telegraph, cable, and radio dispatches and messages paid for within the United States:

(1) Domestic—15 percent

(2) International—10 percent

(c) Leased wire, teletypewriter, or talking circuit special services (excluding any amount paid for such services used exclusively in rendering a service taxable under paragraph (d) of this section)—25 percent;

(d) Wire and equipment service (including stock quotation and information service, burglar alarm or fire alarm service, and all other similar services except services taxable under paragraph (c) of this section)—8 percent;

(e) Local telephone service and other telephone service not taxable under paragraphs (a) to (d) of this section (excluding amounts paid for the installation of instruments, wires, poles, switchboards, apparatus and equipment)—15 percent.

§ 410.108. *Excise tax on diesel fuel used in highway vehicles.* Chapter 20 of the Internal Revenue Code, as implemented by Treasury Regulations 119, imposes an excise tax of 2 cents per gallon upon any liquid (other than any

product taxable under section 3412 of chapter 29 of the Internal Revenue Code and described in § 410.101-13)

(a) Sold by any person to an owner, lessee, or other operator of a diesel-powered highway vehicle, for use as a fuel in such vehicle; or

(b) Used by any person as a fuel in a diesel-powered highway vehicle unless there was a taxable sale of such liquid under paragraph (a) of this section.

2. In Subpart D, § 410.401 *Fixed-price contracts*, is revised as follows:

§ 410.401 *Fixed-price contracts*. The following clause is approved for use, at the option of the Contracting Officer, in fixed-price contracts:

FEDERAL, STATE, AND LOCAL TAXES

(a) *Definitions*. As used throughout this clause, the following terms shall have the meanings set forth below:

(1) The term "direct tax" means any tax or duty directly applicable to the completed supplies or services (as distinguished from taxes directly applicable to materials and components used in the manufacture or furnishing of the completed supplies or services) covered by this contract, or any other tax or duty from which the Contractor or this transaction is exempt. It includes any tax or duty directly applicable to the importation, production, processing, manufacture, construction, sale, or use of such supplies or services; it also includes any tax levied on, with respect to, or measured by sales, receipts from sales, or use of the supplies or services covered by this contract. The term does not include transportation taxes, unemployment compensation taxes, social security taxes, income taxes, excess-profits taxes, capital stock taxes, property taxes, and such other taxes as are not within the definition of the term "direct tax" as set forth above in this paragraph.

(2) The term "contract date" means the effective date of this contract if it is a negotiated contract, or the date set for the opening of bids if it is a contract entered into as a result of formal advertising. For the purpose of any additional procurement of supplies or services called for by any agreement supplemental hereto, the term "contract date" shall refer to the date of such supplemental agreement.

(b) *Federal taxes*. Except as may be otherwise provided in this contract, the contract price includes all applicable Federal taxes in effect on the contract date.

(c) *State or local taxes*. Except as may be otherwise provided in this contract, the contract price does not include any State or local direct tax in effect on the contract date.

(d) *Evidence of exemption*. The Government agrees, upon request of the Contractor, unless there exists no legal basis to sustain an exemption, to furnish a Tax Exemption Certificate or other similar evidence of exemption with respect to any direct tax not included in the contract price pursuant to this clause; and the Contractor agrees, in the event of the refusal of the applicable taxing authority to accept such evidence of exemption, (1) promptly to notify the Contracting Officer of such refusal, (2) to cause the tax in question to be paid in such manner as to preserve all rights to refund thereof, and (3) if so directed by the Contracting Officer, to take all necessary action, in cooperation with and for the benefit of the Government, to secure a refund of such tax (in which event the Government agrees to reimburse the Contractor for any and all reasonable expenses incurred at its direction).

(e) *Price adjustment*. If, after the contract date, (1) the Federal Government or any State or local government either imposes or increases (or removes an exemption

with respect to) any direct tax or any tax directly applicable to the materials or components used in the manufacture or furnishing of the completed supplies or services covered by this contract, or (2) the Federal Government or any State or local government refuses to accept the evidence of exemption, furnished under paragraph (d) hereof, with respect to any direct tax excluded from the contract price, or (3) the Federal Government does not furnish a tax exemption certificate or other similar evidence of exemption with respect to any direct tax excluded from the contract price, and if under either (1), (2), or (3) the Contractor is obliged to and does pay or bear the burden of any such tax (and does not secure a refund thereof), the contract price shall be correspondingly increased, and if interest and penalties are incurred by reason of delay in payment of such tax on the instruction of the Contracting Officer, and such interest and penalties are legally imposed, the contract price shall be correspondingly increased. If, after the contract date, the Contractor is relieved in whole or in part from the payment or the burden of any direct tax included in the contract price, or any tax directly applicable to the materials or components used in the manufacture or furnishing of the completed supplies or services covered by this contract, the Contractor agrees promptly to notify the Contracting Officer of such relief, and the contract price shall be correspondingly decreased or the amount of such relief paid over to the Government. Invoices or vouchers covering any increase or decrease in contract price pursuant to the provisions of this paragraph shall state the amount thereof, as a separate added or deducted item, and shall identify the particular tax imposed, increased, eliminated, or decreased.

(f) *Refund or drawback*. If any tax or duty has been included in the contract price or the price as adjusted under paragraph (e) of this clause, and if the Contractor is entitled to a refund or drawback by reason of the export or re-export of supplies covered by this contract, or of materials or components used in the manufacture or furnishing of the completed supplies or services covered by this contract, the Contractor agrees that he will promptly notify the Contracting Officer thereof and that the amount of any such refund or drawback obtained will be paid over to the Government or credited against amounts due from the Government under this contract: *Provided, however* That the Contractor shall not be required to apply for such refund or drawback unless so requested by the Contracting Officer.

(Sec. 1, 54 Stat. 712, as amended, sec. 201, 55 Stat. 839, 62 Stat. 20; 50 U. S. C. App. 1171, 611, 41 U. S. C. Sup. 151-161. E. O. 9001, Dec. 27, 1941, 6 F. R. 6787, as amended by E. O. 9296, Jan. 30, 1943, 8 F. R. 1429; 3 CFR, 1943 Cum. Supp.)

J. C. HOUSTON, Jr.,
Acting Chairman,
Munitions Board.

[F. R. Doc. 53-2518; Filed, Mar. 23, 1953;
8:45 a. m.]

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter II—Corps of Engineers, Department of the Army

PART 207—NAVIGATION REGULATIONS

ST. MARYS FALLS CANAL AND LOCKS, MICHIGAN

Pursuant to the provisions of section 7 of the River and Harbor Act of August 8, 1917 (40 Stat. 266; 33 U. S. C. 1),

§ 207.441 governing the security of St. Marys Falls Canal and Locks, Michigan, is hereby amended, to read as follows:

§ 207.441 *St. Marys Falls Canal and Locks, Mich., security*—(a) *Purpose and scope of special regulations*. The regulations in this section are prescribed as protective measures during the present emergency. They supplement the general regulations contained in § 207.440 the provisions of which shall remain in full force and effect except as modified by this section.

(b) *Photography*. The taking of photographs within the limits of the locks and approaches thereto is prohibited. Vessel masters are required to make certain that vessel personnel or passengers do not take pictures of any installation within the limits of the restricted area extending from the east end of the East Center Pier to the west end of the Southwest Pier.

(c) *Restrictions on transit of vessels*. The following classes of vessels will not be permitted to transit the United States locks or enter any of the United States approach canals:

(1) All foreign vessels except those of Canadian registry.

(2) All passenger vessels, including those of the United States registry.

(3) All pleasure craft.

(4) All small work craft other than United States Government craft and local harbor tugs regularly engaged in assisting vessels in transit and tugs regularly engaged in interlake towing of commercial freight barges.

(5) All oil tankers having draft and beam permitting transit through the Canadian lock; those having too great a draft or beam to transit the Canadian lock may continue to use the United States locks. Tankers using the United States locks will not be transited through the MacArthur Lock unless their drafts make it necessary. All tanker transits shall be in single lockages. While in the lock area, smoking by personnel aboard tankers is prohibited in any part of the vessel regardless of locations.

(6) All vessels carrying explosives.

(d) *Personnel restrictions*. The following procedures are established for the control of persons embarking or debarking from vessels while transiting the locks.

(1) The master or mate and not more than three linemen will be permitted to go ashore from transiting vessels and then only for normal operations and business incident to the transit. A maximum of four men will be permitted to go ashore from any one ship.

(2) *Vessel personnel*:

(i) *Embarking*. Personnel will be permitted to embark at the locks if they are in possession of a letter addressed to the Area Engineer, St. Marys Falls Canal, Sault Ste. Marie, Michigan, from the vessel operators or the Lake Carriers' Association, requesting that the individual named therein be permitted to embark on a particular vessel. Vessel personnel must also be in possession of a specially validated seaman's document issued by the United States Coast Guard. These papers will be presented to the civilian guard on duty at the main gate on Portage Avenue who will arrange es-

cort from the gate to the vessel. Hand luggage will be subject to inspection.

(ii) *Debarking.* The vessel's captain will furnish prior notification to the Chief Lockmaster at St. Marys Falls Canal Tower (Radio Call WUD-31) that he has personnel aboard who are authorized to debark or whom he desires to debark by reason of medical emergency. Personnel will not debark until they have been properly identified by a licensed officer of the vessel to the escort provided from the civilian guard detail at the lock who will escort personnel to the gate. Vessel personnel debarking for medical attention at Sault Ste. Marie will be furnished a letter authorizing them to reembark at that point if such procedure is planned. In the event a person debarking is a litter case, notification will be made sufficiently in advance to permit the dispatcher to route the vessel into the MacArthur Lock in order that the long carry over the lock gates can be avoided. The Area Engineer will make necessary arrangements for clearance of ambulances and medical personnel into the lock area.

(3) All persons, other than those enumerated in subparagraphs (1) and (2) of this paragraph, including technicians, repairmen, and company officials who desire to embark or debark within the lock area must direct written requests therefor to the Area Engineer, St. Mary's Falls Canal, Sault Ste. Marie,

Michigan, sufficiently in advance so that written authority for the action, if approved, may be delivered to the person or persons affected prior to their arrival at the canal. Any such person embarking shall present his letter of authority to the civilian guard at the main gate on Portage Avenue who will arrange escort from the gate to the vessel. Any such person debarking will proceed in accordance with subparagraph (2) (1) of this paragraph, and in addition shall also present his letter of authority to the civilian guard meeting his vessel when in the lock chamber.

(4) Letters cited in subparagraphs (2) and (3) of this paragraph are valid only for a single passage through the lock area. In the event frequent access to the area is required a request for extended access with reasons therefor will be submitted to the Area Engineer, St. Marys Falls Canal, Sault Ste. Marie, Michigan, who will arrange for the necessary clearance.

(5) Emergency needs to embark or debark which develop with insufficient time to follow the procedure outlined in this paragraph will be approved or disapproved by the Area Engineer, St. Marys Falls Canal, Sault Ste. Marie, Michigan, according to the circumstances of the individual case, and requests therefor should be promptly directed to him.

(e) *Inspection of vessels.* (1) Immediately prior to arrival at the canal the master shall make or cause to be made

by a licensed officer a special inspection of the ship. Such inspection shall include a check of the ship's officers on duty in accordance with paragraph (e) of the general regulations contained in § 207.440 and an examination of openings to all closed compartments, the forepeak and afterpeak, blind hold, dunnage room, windlass room and chain locker and examination of bolt fastenings for signs of any tampering. Entry of such inspection shall be made in the ship's log.

(2) After making the inspection a yellow flag three feet square showing a black ball in the center (International Signal Code "I") shall be displayed from the forward part of the ship to notify canal officials that the required inspection has been made. The privileges of passing through the canal will be granted only when the flag is flown.

(3) Ships complying with the regulations and displaying the flag may be permitted to enter the canal at the discretion of the United States Coast Guard. The Coast Guard has authority to board vessels at any time for the purpose of making investigations or examinations.

[Reg., March 6, 1953, 800.211 (St. Marys River, Mich.)—ENGWO] (40 Stat. 266; 33 U. S. C. 1)

[SEAL] WILL E. BERGIN,
Major General, U. S. Army,
The Adjutant General.

[F. R. Doc. 53-2525; Filed, Mar. 23, 1953; 8:47 a. m.]

PROPOSED RULE MAKING

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 11]

[Docket No. 9703]

SPECIAL INDUSTRIAL RADIO SERVICES

ORDER EXTENDING TIME WITHIN WHICH TO FILE COMMENTS

In the matter of revision of Subpart K of Part 11, rules governing the Special

Industrial Radio Services; Docket No. 9703.

The Commission having on February 13, 1953, released a further notice of proposed rule making in the above-entitled matter in which March 16, 1953, was set as the time within which comments were to be filed;

It appearing, that several interested parties have asked for an extension of time in order to enable them to properly prepare and file their comments;

It is ordered, This 17th day of March 1953 that the time within which to file comments in the above entitled matter is extended to April 17, 1953, and reply comments may be filed within ten days thereafter.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 53-2532; Filed, Mar. 23, 1953; 8:47 a. m.]

NOTICES

DEPARTMENT OF THE INTERIOR

Office of the Secretary

[Order No. 2718]

DESIGNATION OF ACTING COMMISSIONER OF INDIAN AFFAIRS

MARCH 19, 1953.

SECTION 1. Succession. (a) The Deputy Commissioner is authorized to perform the duties of the Commissioner of Indian Affairs, in case of the death, resignation, absence or sickness of the Commissioner.

(b) The Associate Commissioner is authorized to perform the duties of the

Commissioner of Indian Affairs, in case of the death, resignation, absence or sickness of the Commissioner and the Deputy Commissioner.

(c) The Assistant Commissioner (Resources) is authorized to perform the duties of the Commissioner of Indian Affairs, in case of the death, resignation, absence or sickness of the Commissioner, the Deputy Commissioner and the Associate Commissioner.

(d) The Assistant Commissioner (Community Services) is authorized to perform the duties of the Commissioner of Indian Affairs, in case of the death, resignation, absence or sickness of the

Commissioner, the Deputy Commissioner, the Associate Commissioner and the Assistant Commissioner (Resources).

SEC. 2. Title. An officer performing under the authority of section 1 of this order shall sign all documents under the title "Acting Commissioner of Indian Affairs."

SEC. 3. Revocation. Order 2688 of May 16, 1952 is revoked.

FRED G. AANDAH,
Acting Secretary of the Interior.

[F. R. Doc. 53-2535; Filed, Mar. 23, 1953; 8:48 a. m.]

FEDERAL TRADE COMMISSION

[File No. 21-445]

COSTUME JEWELRY INDUSTRY

NOTICE OF HOLDING OF TRADE PRACTICE
CONFERENCE

Notice is hereby given that a second session of the trade practice conference for the Costume Jewelry Industry (Low and Medium-Priced Jewelry Industry) will be held under the auspices of the Federal Trade Commission in the Sheraton-Biltmore Hotel, Providence, Rhode Island, on April 16, 1953, commencing at 10 a. m., e. s. t.

All persons, firms and corporations engaged in the manufacture, distribution or marketing of industry products are considered members of the industry and are cordially invited to attend and participate in the proceedings.

The conference and further proceedings in the matter will be directed toward the eventual establishment and promulgation by the Commission of trade practice rules for the industry under which unfair methods of competition, unfair or

deceptive acts or practices, and other trade abuses, may be eliminated and prevented.

Issued: March 19, 1953.

By direction of the Commission.

[SEAL]

D. C. DANIEL,
Secretary.[F. R. Doc. 53-2534; Filed, Mar. 23, 1953;
8:48 a. m.]

DEPARTMENT OF AGRICULTURE

Commodity Credit Corporation

SUPPLEMENTAL MARCH 1953 DOMESTIC
PRICE LISTSALES OF CERTAIN COMMODITIES AT FIXED
PRICES

Pursuant to the Pricing Policy of Commodity Credit Corporation issued March 22, 1950, as amended January 9, 1953 (15 F. R. 1583, 18 F. R. 176) and subject to the conditions stated therein, the following commodities are available for sale in the quantities and at the prices stated:

SUPPLEMENTAL MARCH 1953 DOMESTIC PRICE LIST

Commodity and approximate quantity available (subject to prior sale)	Domestic sales price
Blue Lupine seed, bagged, 1,029,690 hundredweight.	\$4 per 100 pounds f. o. b. point of production, plus any paid-in freight as applicable basis current freight rate at time of sale. Price will not be reduced during period ending Apr. 30, 1953. Available New Orleans PMA Commodity office.
Common and Willamette Vetch seed, bagged, 129,400 hundredweight.	\$7 per 100 pounds, f. o. b. point of production, plus any paid-in freight as applicable basis current freight rate at time of sale. Price will not be reduced during period ending Apr. 30, 1953. Available Dallas, Portland, and New Orleans PMA Commodity offices.
Red clover seed (uncertified), bagged, 56,450 hundredweight.	\$36.75 per 100 pounds f. o. b. point of production, plus any paid-in freight as applicable basis current freight rate at time of sale. Price will not be reduced during period ending Aug. 31, 1953. Available Portland, Chicago, Kansas City, Minneapolis, New York, New Orleans, and San Francisco PMA Commodity offices.
Red clover seed (certified), bagged, Cumberland, 1,000 hundredweight; Midland, 620 hundredweight.	\$36.75 per 100 pounds f. o. b. point of production, plus any paid-in freight as applicable basis current freight rate at time of sale. Price will not be reduced during period ending Aug. 31, 1953. Available Portland and Kansas City PMA Commodity offices.
Crimson clover seed, bagged, 230 hundredweight.	\$18 per 100 pounds f. o. b. point of production, plus any paid-in freight as applicable basis current freight rate at time of sale. Price will not be reduced during period ending Apr. 30, 1953. Available Portland PMA Commodity office.
Biennial sweet clover seed, bagged, 22,760 hundredweight.	\$9.45 per 100 pounds f. o. b. point of production plus any paid-in freight as applicable basis current freight rate at time of sale. Price will not be reduced during period ending Aug. 31, 1953. Available Kansas City, Minneapolis, Chicago, and Portland PMA Commodity offices.
Hubam sweet clover seed, bagged, 50 hundredweight.	\$10.50 per 100 pounds f. o. b. point of production, plus any paid-in freight as applicable basis current freight rate at time of sale. Price will not be reduced during period ending Aug. 31, 1953. Available Dallas PMA Commodity office.
Smooth bromegrass, (uncertified), bagged, 15 hundredweight.	\$15.75 per 100 pounds f. o. b. point of production, plus any paid-in freight as applicable basis current freight rate at time of sale. Price will not be reduced during period ending Aug. 31, 1953. Available Chicago PMA Commodity office.
Mountain bromegrass (Bromar certified), bagged, 540 hundredweight.	\$21.00 per 100 pounds f. o. b. point of production, plus any paid-in freight as applicable basis current freight rate at time of sale. Price will not be reduced during period ending Aug. 31, 1953. Available Portland PMA Commodity office.
Hairy Vetch seed, bagged, 70,800 hundredweight.	\$1 plus support price per 100 pounds f. o. b. point of production plus any paid-in freight as applicable basis current freight rate at time of sale. Price will not be reduced during period ending Apr. 30, 1953. Available Portland, Dallas, and New Orleans PMA Commodity offices.
Birdfoot trefoil seed, bagged, 1,160 hundredweight.	\$78.75 per 100 pounds f. o. b. point of production, plus any paid-in freight as applicable basis current freight rate at time of sale. Price will not be reduced during period ending Aug. 31, 1953. Available San Francisco and Portland PMA Commodity offices.
Rough pea seed, bagged, 6 hundredweight.	\$7 per 100 pounds f. o. b. point of production, plus any paid-in freight as applicable basis current freight rate at time of sale. Price will not be reduced during period ending Apr. 30, 1953. Available Portland PMA Commodity office.
Primer slender wheatgrass seed (certified), bagged, 30 hundredweight.	\$31.50 per 100 pounds f. o. b. point of production, plus any paid-in freight as applicable basis current freight rate at time of sale. Price will not be reduced during period ending Aug. 31, 1953. Available Portland PMA Commodity office.
On all seeds: Offers will not be accepted for less than the minimum carlot weight as prescribed by railroad carrier's regulation at point of storage. However, if quantity available at any location is less than carlot, offers will be accepted only for entire lot.	

Issued: March 19, 1953.

[SEAL]

HOWARD H. GORDON,
Executive Vice President,
Commodity Credit Corporation.

[F. R. Doc. 53-2537; Filed, Mar. 23, 1953; 8:48 a. m.]

Production and Marketing
Administration

PEANUTS

NOTICE OF REDELEGATION OF FINAL AUTHORITY BY THE NORTH CAROLINA STATE PRODUCTION AND MARKETING ADMINISTRATION COMMITTEE

Section 729.432 of the Marketing Quota Regulations for the 1953 Crop of Peanuts (17 F. R. 10611) issued pursuant to the marketing quota provisions of the Agricultural Adjustment Act of 1938, as amended (7 U. S. C. 1301-1376), provides that any authority delegated to the State Production and Marketing Administration Committee by the regulations may be redelegated by the State committee. In accordance with section 3 (a) (1) of the Administrative Procedure Act (5 U. S. C. 1002 (a)) which requires delegations of final authority to be published in the FEDERAL REGISTER, there are set out herein the redelegations of final authority which have been made by the North Carolina State Production and Marketing Administration Committee of authority vested in such committee by the Secretary of Agriculture in the regulations referred to above. Shown below are the sections of the regulations in which such authority appears and the officer or the committee to whom the authority has been redelegated:

NORTH CAROLINA

Sections 729.421, 729.422 (a), and 729.430—A. P. Hassell, Administrative Assistant, State PMA Office.

Sections 729.424 (a), and 729.424 (b) (4)—J. L. Nickolson, Program Specialist (P. A.), State PMA Office.

Section 729.426 (b)—Chairman, State PMA Committee.

(Sec. 375, 52 Stat. 66, as amended; 7 U. S. C. 1375. Interpret or apply secs. 301, 358, 359, 361-368, 373, 374; 52 Stat. 38, 62, 65, as amended, 55 Stat. 88, as amended, 66 Stat. 27; 7 U. S. C. 1301, 1358, 1359, 1361-1368, 1373, 1374)

Issued at Washington, D. C., this 19th day of March 1953.

[SEAL] HOWARD H. GORDON,
Administrator, Production
and Marketing Administration.[F. R. Doc. 53-2539; Filed, Mar. 23, 1953;
8:49 a. m.]SECURITIES AND EXCHANGE
COMMISSION

[File No. 70-3002]

MISSISSIPPI POWER & LIGHT CO.

SUPPLEMENTAL ORDER CONCERNING SALE OF
BONDS

MARCH 18, 1953.

Mississippi Power & Light Company ("Mississippi") an electric utility subsidiary of Middle South Utilities, Inc., a registered holding company, having filed a declaration, and amendment thereto, pursuant to the Public Utility Holding Company Act of 1935, particularly sections 6 (a) and 7 thereof, and Rule U-50 thereunder regarding the issuance and sale by Mississippi of \$12,000,000 principal amount of First Mortgage Bonds, 4 percent Series, due 1983, pursuant to the

competitive bidding requirements of Rule U-50; and

The Commission, by order dated March 5, 1953, having permitted said declaration to become effective, as then amended, subject to the condition that the proposed issuance and sale of bonds not be consummated until the results of competitive bidding should have been made a matter of record in these proceedings and a further order entered by the Commission in the light of the record as so completed, and subject to a reservation of jurisdiction with respect to the payment of fees and expenses incurred in connection with the proposed transactions; and

Mississippi having filed a further amendment to this declaration setting forth the action taken to comply with the requirements of Rule U-50 and stating that, pursuant to the invitation for competitive bids, the following bids for the bonds have been received:

Bidding group headed by—	Coupon rate	Price to company (% of prin. amt.)	Cost to company
Kuhn, Loeb & Co.	3½	100.136	3.6175
Equitable Securities Corp. and Shields & Co.	3½	100.09	3.6201
Blyth & Co., Inc.	3½	102.07	3.6361
Merrill Lynch, Pierce, Fenner & Beane.	3½	102.049	3.6372
Union Securities Corp.	3½	101.83	3.6491
Halsey, Stuart & Co., Inc.	3½	101.62999	3.6600
White, Weld & Co. and Kidder, Peabody & Co.	3½	101.3099	3.6775
The First Boston Corp.	3½	101.269	3.6793

Said amendment stating that Mississippi has accepted the bid of Kuhn, Loeb & Co., and that said bonds will be offered for sale to the public at a price of 100.456 percent of the principal amount thereof, plus accrued interest to the date of payment of delivery, resulting in an underwriters' spread of 0.32 percent, or a total underwriting spread of \$38,400; and

The record not having been completed with respect to legal fees and expenses, and the Commission observing no basis for adverse findings with respect to the other matters herein; and the Commission having considered the record as further developed:

It is ordered, That jurisdiction heretofore reserved with respect to the matters to be determined as a result of competitive bidding under Rule U-50, be, and the same hereby is, released, and jurisdiction heretofore reserved with respect to legal fees and expenses be, and the same hereby is, continued.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 53-2521; Filed, Mar. 23, 1953; 8:46 a. m.]

[File No. 70-3005]

GENERAL PUBLIC UTILITIES CORP.

ORDER AUTHORIZING HOLDING COMPANY TO MAKE CAPITAL CONTRIBUTIONS TO SUBSIDIARY

MARCH 18, 1953.

General Public Utilities Corporation ("GPU") a registered holding company,

having filed a declaration pursuant to the Public Utility Holding Company Act of 1935 ("act"), particularly section 12 (b) thereof and Rule U-46, with respect to the following proposed transactions:

GPU proposes to make capital contributions, from time to time, in the aggregate amount of \$750,000 to its subsidiary, New Jersey Power & Light Company ("NJPEL") all of whose common stock is owned by GPU. The proposed capital contributions, which are to be initially credited to capital surplus by NJPEL and promptly thereafter transferred to the stated capital applicable to its common stock, will be used by NJPEL to finance construction or to reimburse its treasury for expenditures made for such purpose.

The filing states that no State or Federal commission, other than this Commission, has jurisdiction over the proposed transaction and that fees and expenses of GPU in connection with the proposed transaction, including legal fees, are estimated not to exceed \$300. It requests that the Commission's order become effective upon issuance.

Due notice of the filing of the declaration having been given and a hearing not having been requested or ordered by the Commission; and the Commission finding that the applicable provisions of the act and the rules promulgated thereunder are satisfied and that no adverse findings are necessary, and deeming it appropriate in the public interest and the interest of investors and consumers that said declaration be permitted to become effective forthwith:

It is ordered, Pursuant to Rule U-23 and the applicable provisions of the act, that said declaration be, and it hereby is, permitted to become effective forthwith, subject to the terms and conditions prescribed in Rule U-24.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 53-2522; Filed, Mar. 23, 1953; 8:46 a. m.]

[File No. 70-3014]

JERSEY CENTRAL POWER & LIGHT CO. AND GENERAL PUBLIC UTILITIES CORP.

NOTICE OF FILING REGARDING ISSUANCE AND SALE TO BANKS OF NOTES AND OF COMMON STOCK TO PARENT AND REGARDING ISSUANCE AND SALE OF BONDS

MARCH 18, 1953.

Notice is hereby given that General Public Utilities Corporation ("GPU"), a registered holding company, and one of its public utility subsidiaries, Jersey Central Power & Light Company ("Jersey Central"), have filed an application-declaration pursuant to the Public Utility Holding Company Act of 1935 ("act") and have designated sections 6 (a) 6 (b) 7, 9 (a) and 10 of the act and Rule U-50 thereunder as applicable to the proposed transactions which are summarized as follows:

Jersey Central proposes to issue and sell, subject to the competitive bidding requirements of Rule U-50, \$8,500,000

principal amount of First Mortgage Bonds, ... Percent Series, due 1983, to be issued under and secured by Jersey Central's indenture dated as of March 1, 1946, as heretofore supplemented and to be supplemented by an indenture to be dated as of April 1, 1953. The interest rate and the price to be paid to Jersey Central are to be determined by the competitive bidding.

Jersey Central also proposes to issue and sell to GPU (the holder of all the outstanding capital stock of Jersey Central) and GPU proposes to purchase from Jersey Central, from time to time or in one transaction but, in any event, prior to or simultaneously with the issuance of the new bonds, 400,000 additional shares of Jersey Central common stock at a price equal to its par value of \$10 per share or an aggregate price of \$4,000,000. In connection with the issuance and sale of additional common stock, Jersey Central proposes to amend its Certificate of Incorporation so as to increase its authorized common stock from 2,000,000 shares of the par value of \$10 per share to 3,000,000 shares of the par value of \$10 per share.

Jersey Central further proposes, by the issuance and sale of unsecured notes, to borrow from banks from time to time (but not later than September 30, 1954) sums not to exceed the aggregate amount of \$7,500,000 outstanding at any one time. Such notes are to be issued pursuant to the terms of a credit agreement between Jersey Central and Irving Trust Company, and Bankers Trust Company, dated February 26, 1953. Any note issued under the agreement is to mature at a date to be specified by Jersey Central, but not later than December 31, 1957. Any note maturing on or before December 31, 1954, is to bear interest at the rate of 3 percent per annum; any note maturing after December 31, 1954, is to bear interest at the rate of 3½ percent per annum. Any note may be prepaid, in whole or in part, without premium, unless (a) the note prepaid matures on or before December 31, 1954, and is prepaid with proceeds, or in anticipation, of another note issued under the credit agreement maturing after December 31, 1954, made within two months of such prepayment, or (b) the prepayment is made with proceeds, or in anticipation, of any bank borrowing not made under the credit agreement. In the event of prepayment pursuant to (a) above, the company is required to pay a premium of ½ of 1 percent per annum on the amount prepaid; in the event of prepayment pursuant to (b) above the premium will be ½ of 1 percent of the amount prepaid.

Jersey Central is to pay the banks a commitment fee at the rate of ¼ of 1 percent per annum computed on a daily basis from the date of any Commission order approving the instant proposal to September 30, 1954, on the unused balance of the commitment, which commitment may be terminated or reduced by Jersey Central at any time upon payment of the commitment fee accrued and unpaid.

The filing states that Jersey Central consents to the imposition by the Commission in any order approving the pro-

posals of a condition providing that, unless and until a post-effective amendment to this application-declaration shall have been filed and granted and permitted to become effective, the aggregate principal amount of borrowings by Jersey Central maturing subsequent to December 31, 1953 outstanding at any one time shall not exceed \$3,000,000. The filing states that the proceeds from the sale of the bonds, and the common stock, and from net bank borrowings proposed to be effected in 1953 will be used in connection with Jersey Central's construction program.

The filing further states that no State or Federal regulatory body, other than the Board of Public Utility Commissioners of the State of New Jersey and this Commission, has jurisdiction over any of the proposed transactions and that the issuance and sale by Jersey Central of the bonds, the common stock, and of the notes under the credit agreement will be solely for the purpose of financing the business of Jersey Central, and are expected to be expressly authorized by the Board of Public Utility Commissioners of the State of New Jersey. It requests that the Commission's order become effective upon issuance.

Notice is further given that any interested person may, not later than March 31, 1953, at 5:30 p. m., e. s. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request, the nature of his interest and the issues of fact or law raised by said application-declaration which he desires to controvert, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after said date, said application-declaration, as filed or as amended, may be granted and permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transactions as provided in Rules U-20 (a) and U-100 thereof. All interested persons are referred to said application-declaration which is on file in the offices of this Commission for a statement of the transactions therein proposed.

By the Commission.

[SEAL] ORYAL L. DuBois,
Secretary.

[F. R. Doc. 53-2523; Filed, Mar. 23, 1953;
8:46 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 10089]

JAMES M. TISDALE (WVCH)

ORDER CONTINUING HEARING

In re application of James M. Tisdale (WVCH) Chester, Pennsylvania, Docket No. 10089, File No. BP-8100; for construction permit.

Having under consideration a motion filed by James M. Tisdale on March 13, 1953, requesting an indefinite continuance in the above-entitled hearing.

It appearing that the hearing is scheduled to commence on March 25, 1953, but that Huntington-Montauk Broadcasting Co., Inc., licensee of Station WGSM, a party respondent to this proceeding, has filed an application to improve its facilities which may affect the consideration of the application filed by James M. Tisdale; and

It further appearing that all parties herein, together with the Commission's Broadcast Bureau, have concurred in this request for continuance;

It is ordered, This 16th day of March 1953, that the hearing is continued indefinitely, subject to further notice from the Hearing Examiner, H. Gifford Irion.

FEDERAL COMMUNICATIONS COMMISSION,
T. J. SLOWIE,
Secretary.

[SEAL]

[F. R. Doc. 53-2531; Filed, Mar. 23, 1953;
8:47 a. m.]

[Change List No. 4]

CUBAN BROADCAST STATIONS

NOTIFICATION OF NEW STATIONS, AND LIST OF CHANGES, MODIFICATIONS AND DELETIONS OF EXISTING STATIONS

FEBRUARY 16, 1953.

REPUBLIC OF CUBA

Call letters	Location	Power (kw)	Antenna	Schedule	Class	Proposed date of change or commencement of operation	
CMCA...	Habana, Habana (PO: 1150 kc/s).	730 kilocycles 10.....	DA-1	U	II	Mar. 26, 1953	
CMKJ...	Holguin, Oriente (vide: 740 kc/s).	5.....	DA	U	II	.....do.....	Cancel.
CMKJ...	Holguin, Oriente (PO: 730 kc/s).	740 kilocycles 10.....	DA-1	U	I-D	.....do.....	
CMCD...	Habana, Habana (vide: 760 kc/s).	10.....	DA	U	II	.....do.....	Cancel.
CMCD...	Habana, Habana (PO: 740 kc/s).	760 kilocycles 10.....	DA-1	U	II-E	.....do.....	
CMJY...	Ciego de Avila, Camaguey (vide: 800 kc/s).	1.....	ND	U	II	.....do.....	Cancel.
CMAB...	Pinar del Rio, P. R. (vide: 1070 kc/s).	5.....	ND	U	II	.....do.....	
CMJY...	Ciego de Avila, Camaguey (PO: 760 kc/s).	800 kilocycles 1.....	ND	U	II	.....do.....	
CMBA...	Pinar del Rio, P. R. (PO: 760 kc/s).	1070 kilocycles 5D/2N.....	ND	U	II	.....do.....	
CMCA...	Habana, Habana (vide: 730 kc/s).	1150 kilocycles 5D/1N.....	ND	U	III	.....do.....	Cancel.
CMCM...	Habana, Habana (power, class, and assignment provisional; PO: 1460 kc/s).	0.25.....	ND	U	IV	.....do.....	
CMCM...	Habana, Habana.....	1460 kilocycles 0.25.....	ND	U	IV	.....do.....	Cancel vide: 1150 kc/s.
CMZ...	Habana, Habana (PO: 1560 kc/s; provisional assignment).	0.5.....	ND	U	III	.....do.....	
CMZ...	Habana, Habana (vide: 1460 kc/s).	1560 kilocycles 5.....	ND	U	I-B	.....do.....	Cancel.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 53-2533; Filed, Mar. 23, 1953; 8:47 a. m.]